

ORIGINAL

# EXCEPTION

OPEN MEETING AGENDA ITEM



0000100893

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

**COMMISSIONERS**

KRISTIN K. MAYES, Chairman  
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2009 JUL 22 A 8:37

AZ CORP COMMISSION  
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Arizona Corporation Commission

DOCKETED

JUL 22 2009

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IN THE MATTER OF THE APPLICATION OF  
TRICO ELECTRIC COOPERATIVE, INC., AN  
ARIZONA NONPROFIT CORPORATION,  
FOR A PERMANENT RATE INCREASE, FOR  
A DETERMINATION OF THE FAIR VALUE  
OF THE CORPORATION'S ELECTRIC  
SYSTEM FOR RATEMAKING PURPOSES,  
FOR A FINDING OF A JUST AND  
REASONABLE RATE OF RETURN  
THEREON, AND FOR APPROVAL OF RATE  
SCHEDULES DESIGNED TO DEVELOP  
SUCH RETURN.

DOCKET NO. E-01461A-08-0430

**STAFF'S CLARIFYING EXCEPTIONS  
TO THE RECOMMENDED OPINION  
AND ORDER**

Arizona Corporation Commission ("Commission") Utilities Division Staff ("Staff") submits these Clarifying Exceptions to the Recommended Opinion and Order ("ROO") issued on July 13, 2009, in the above-captioned matter.

**Residential Time of Use ("TOU") Tariff**

At page 11, lines 11-13, of the ROO, it states, "Consequently, we direct Trico to file a Residential TOU Tariff that results in a neutral return on the Cooperative from the TOU class, but which does not include on-peak times during weekends." Because the resulting rates are unknown at this time, Staff believes that it would be appropriate for the Commission to first review any proposed tariff. Therefore, Staff recommends that the words "for Commission approval" be inserted after the word "file" on line 11.

**Demand-Side Management ("DSM") Program Reporting**

At page 20, line 8, through page 21, line 3, of the Supplemental Testimony filed by Staff witness J. Jeffrey Pasquinelli, Staff erroneously included a paragraph proposing that certain items be required in reporting for all DSM programs. Staff had intended the items listed to be provided only

1 in the report detailing the results of the two-year pilot Energy Audit Program, as described on page  
2 13, lines 19-30, of the Supplemental Testimony, and not to be included in semi-annual reports for  
3 every DSM program. The ROO adopted the erroneous language from Staff's testimony. Decision  
4 No. 68073 from Trico's previous rate case had established the general DSM reporting requirements.  
5 Therefore, to eliminate burdensome and unnecessary requirements, Staff recommends that Finding  
6 of Fact No. 70 (page 17, lines 16-23) and the related ordering paragraph (page 19, lines 12-18) be  
7 deleted.

8 **Miscellaneous Clerical Errors**

9 Lastly, Staff requests that the ROO be amended to reflect the correction of the following  
10 clerical errors:

- 11 • On page 3 at line 7, "field" should be changed to "filed."
- 12 • On page 5 at line 12, "\$198,982" should be changed to "\$198,972."
- 13 • On page 5 at line 13, "\$8,158,627" should be changed to "\$8,148,627."
- 14 • On page 5 at line 16, "\$723,500" should be changed to "\$723,570."
- 15 • On page 6 at line 18, "8.90" should be changed to "8.80."
- 16 • On page 7 at line 14, "\$38.80" should be changed to "\$36.80."

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- On page 7 at line 15, "\$38.80" should be changed to "\$36.80."
- On page 8 at line 16, "minimums" should be changed to "minimis."

RESPECTFULLY SUBMITTED this 22<sup>nd</sup> day of July, 2009.

*Nancy Scott*

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Original and thirteen (13) copies  
of the foregoing filed this  
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